

09.12.2024  
tkm/ct 28  
sl no. 82

**C.R.M. (A) 4205 of 2024**

In Re : An application for anticipatory bail under section 483 of BNSS 2023 in connection with Nalhati P.S Case no. 534 of 2024 dated 23.9.2024 under sections 118(2)/110/105 of BNS 2023  
and

**Allowed**

In Re : Jahangir Sk @ Jehangir Sk. .... petitioner

Mr. U S Chattopadhyay  
Ms. R Tah  
Ms. Trisha Rakshit  
Ms. A Datta

..... for the petitioner

Mr. Joydeep Biswas  
Mr. Arujp Sarkar

..... for the State

1. Petitioner submits victim boy died due to electrocution. Allegations do not disclose ingredients of offence punishable under section 105 of the BNS, 2023.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record. It is alleged petitioner had electrified his field to avoid stealing. Minor child was electrocuted in the field. Whether the uncontroverted allegations would disclose offence under section 105 BNS or would fall under section 106(1) thereof requires to be assessed at the appropriate stage of the proceeding. Petitioner had no intention to commit murder.
4. Under such circumstances we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, to the

satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 482(2) of BNSS 2023.

6. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. The application being CRM (A) 4205 of 2024 is disposed of.

**(Gaurang Kanth , J.)**

**(Joymalya Bagchi, J.)**